

KEVIN V. RYAN, CSBN 118321  
United States Attorney  
JOANN M. SWANSON, CSBN 88143  
Assistant United States Attorney  
Chief, Civil Division  
EDWARD A. OLSEN, CSBN 214150  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102  
Telephone: (415) 436-6915  
FAX: (415) 436-7169

Attorneys for Respondents

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WEI QUAN ZENG,

Petitioner,

v.

MICHAEL CHERTOFF, DEPARTMENT  
OF HOMELAND SECURITY, ALBERTO  
GONZALES, U.S. ATTORNEY  
GENERAL; ROBERT DEVINE, US  
CITIZENSHIP AND IMMIGRATION  
SERVICES; ALFONSO AGUILAR, US  
CITIZENSHIP AND IMMIGRATION  
SERVICES; DAVID STILL, US  
CITIZENSHIP AND IMMIGRATION  
SERVICES; DOES 1-5,

Respondents.

No. C 05-5311-JSW

**STIPULATION TO EXTEND THE DATE  
OF CASE MANAGEMENT CONFERENCE;  
AND ~~PROPOSED~~ ORDER**

Petitioner, by and through his attorney of record, and respondents, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, as follows:

1. The petitioner filed an application for naturalization with the United States Citizenship and Immigration Services ("USCIS") on June 4, 2003.

2. The petitioner was interviewed by USCIS on his application for naturalization on January 22, 2004, but the application has not been adjudicated because the FBI is conducting a required

1 name check.

2 3. The USCIS asked the FBI to conduct the required FBI name check on June 13, 2003.

3 4. On December 22, 2005, the petitioner filed an action under 8 U.S.C. § 1447(b) seeking a  
4 hearing on his application for naturalization.

5 5. The United States Attorney's was not served with the petition until March 9, 2006.

6 6. On March 15, 2006, this Court signed the parties' stipulation to extend the dates in this  
7 case, and a case management conference is currently scheduled for June 2, 2006, at 1:30 p.m.

8 7. The parties respectfully ask this Court for an approximately 60-day extension of the case  
9 management conference in light of the following: (1) the USCIS formally asked the FBI to  
10 expedite the processing of its name check of the petitioner on March 13, 2006; (2) the USCIS has  
11 agreed to fax a second request this week to the FBI to expedite processing of its name check of the  
12 petitioner; (3) the parties are participating in an ADR conference call on May 30, 2006; and (4) the  
13 parties believe there is a reasonable chance that this case may be resolved without the need for any  
14 litigation of this matter in this Court.

15 8. The parties would respectfully ask this Court to set a case management conference for  
16 August 4, 2006.

1  
2  
3 Date: May 25, 2006

Respectfully submitted,

4 KEVIN V. RYAN  
5 United States Attorney

6  
7 /s/  
8 EDWARD A. OLSEN<sup>1</sup>  
9 Assistant United States Attorney  
10 Attorneys for Respondents

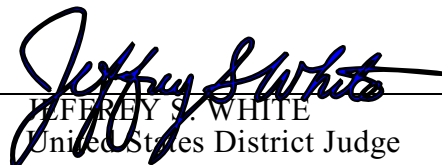
11 Date: May 25, 2006

12 /s/  
13 DIANE LUONG  
14 LEGAL ASSISTANCE FOR SENIORS  
15 Attorney for Petitioner

16 **ORDER**

17 Pursuant to stipulation, IT IS SO ORDERED.

18 Date: May 26, 2006

19   
20 JEFFREY S. WHITE  
21 United States District Judge

22  
23  
24  
25  
26  
27  
28 <sup>1</sup>I, Edward A. Olsen, attest that both Diane Luong and I have signed this stipulation and  
will produce the original signed copies upon request.

STIPULATION TO EXTEND DATE OF CMC  
C 05-5311-JSW